

REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1-14 are presently active. Claims 1-3 are amended, and Claims 8-18 are added by way of the present amendment. No new matter has been added.

In the outstanding Office Action, Claims 1 - 7 were rejected under 35 U.S.C. § 102(e) as being anticipated by Naughton et al (U.S. Pat. No. 6,344,861).

Applicants acknowledge with appreciation the courtesy of Examiner Lee to conduct an interview on July 19, 2007, during which time the issues in the outstanding Office Action were discussed, as substantially summarized hereinafter.

Regarding the 35 U.S.C. § 102(e) rejection to Claims 1-7, Claim 1 has been amended to clarify that the recited display device is configured to transmit information over the Internet to communicate with an item selected by a user.

As discussed during the interview, Applicant's Fig. 1 shows a remote device which operates in communication with household apparatuses over a network, such as the Internet. In the specification at numbered paragraph [0020], and as depicted in Fig. 1, the mobile device 9 communicates with the domestic network system 3 by communicating with the communication system 2, which communicates with the control server apparatus 5 via the Internet, for example, which then can communicate with the domestic network system 3. Information the user needs to select a device (i.e. a television) and remotely control the selected device (i.e. the commands to operate), is stored on the mobile device 9 and/or is retrieved from the communication system 2 and uploaded to the control server apparatus 5 via the Internet, for example. The control server apparatus 5 transmits the information

obtained from the remote device 9 through the Internet and the domestic network 17 to each of the devices to be remotely controlled.

Naughton et al do not use the Internet to remotely operate selected devices. Instead, the communication in Naughton et al takes place using radio waves, low power, cellular, infrared signals, or electrical signals on existing power lines in the case of an Echelon ® base LON® system. There is no mention of any communication over an Internet network. As discussed during the interview, while Figs. 2a and 2b of Naughton et al show perspectives for different views in different locations, the purpose of the different perspectives is to make the application “easy to navigate by using a graphical user interface with a structure that most users already understand.” See Naughton et al, column 10, lines 14-16. Figs. 2a and 2b of Naughton et al do not represent a teaching for transmitting information across the Internet to communicate with an item to be operated, regardless of the different perspectives shown in Figs. 2a and 2b.

Further, the remote control system in Naughton et al is primarily intended for use with “intelligent remote devices” 150, which are specifically designed to operate with the hand-held display device 170, and which broadcasts across the communications network 160 that it has a user interface program object to export.¹ Therefore, this further suggests that use over the Internet is was not intended, nor possible, as communication takes place directly between the device to be controlled and the remote control itself. Regardless, the “intelligent remote devices” in Naughton et al are not a disclosure of communication over the network and indeed would seem to teach away from the use of Internet-based communication.

Additionally, while Naughton et al is backward compatible with non-intelligent remote devices, referred to as “simple remote devices” and conventional electronic devices, control of such devices do not use the Internet. To control the simple remote device 155 of

¹ Naughton et al, Figure 20 and column 26, lines 8-13.

Naughton et al, the display device 170 invokes a method within the device driver object 351 to translate the user's interactions into simple predefined control codes. The display device 170 then transmits the simple predefined control codes to the simple remote device 155 which receives the control codes through receiver 421 and passes the information to the device control circuitry 425.² Conventional electronic device in Naughton et al can be controlled by transmitted signals such as infrared signals.³ Again, this further suggests that use over the Internet is was not intended, nor possible, as communication takes place directly between the device to be controlled and the remote control itself. Regardless, the “simple remote devices” and the conventional devices in Naughton et al are not a disclosure of communication over the network and indeed would seem to teach away from the use of Internet-based communication.

Moreover, the communications medium 160 in Naughton et al does not communicate with a control server apparatus and a home network, (e.g., defined, for example, in dependent Claims 8, 9, 17, and 18). Accordingly, even if Naughton et al *did* use Internet-based communication, Naughton et al would still have to disclose a control server apparatus and a home network, as claimed by Applicant. However, Naughton et al do not disclose a control server apparatus and a home network.

M.P.E.P. § 2131 requires for anticipation that each and every feature of the claimed invention must be shown and requires for anticipation that the identical invention must be shown in as complete detail as is contained in the claim. Thus, it is respectfully submitted that independent Claim 1 and the claims dependent therefrom patentably define over the cited art.

² Naughton et al, column 9, lines 38-45.

³ Naughton et al, column 9, lines 47-48.

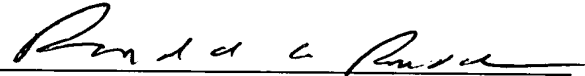
Applicant has added Claims 10-16 directed to the subject matter contained in Claims 1-7 but without the use of "means plus function" language. Accordingly, independent Claim 10 and the claims dependent therefrom are believed to define over Naughton et al for similar reasons as given above with regard to Claim 1.

Further, dependent Claims 8, 9, 17, and 18, have been added, which find support in Applicant's Figure 1 and paragraphs 47, 51, 75 and 76 of the specification. Therefore, no new matter has been added.

Consequently, in view of the present amendment and in light of the above discussions, the outstanding grounds for rejection are believed to have been overcome. The application as amended herewith is believed to be in condition for formal allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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